Judge Boolittle on the De Golyer Job.

In his late speech at Indianapolis Ex-Senator Doolittie thus spoke of the De Golyer pavement job, and how Garfield became connected with it:

became connected with it:

One Chittenden agreed with De Golyer and McLiedand, contractors of Chicago, to obtain paving jobs for them from the Boards of Public Worse in Eastern cities. He was to get the jobs and they were to runnithem. But he was to have one-third of all the net profits for the yetting of them, they furnishing all the capital, material and work. Chittenden went on to Washington, where floss Shepard was in the beight of his glory. Through the influence of Garfield, mainly. Chittenden got a contract, awarded by floss Shepard and his colleagues, to pave 250,000 yards at \$3.50 per yard, when the actual cost of laying it down was only \$1.50, leaving, if the contract should be fulfilled, a net profit of \$450.004.

Chittenden suc! McCleiland and Charles E. Jenkins, who hat bought out De Golyer, and was substituted in his place, upon his contract to receive his one-third of the profits, claiming, at least, \$400.000. E. A. Storrs, Esq., a very ingenious, able and cloquent lawyer, of Chicago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same who defonded Babcock in St. Louis, was attorney and counsel for Chitago, the same was obtained by improper influences. Against public policy, and, therefore, the contract was void. The pleas averred also that the plaintiff well knew that it was void and was obtained by improper influ

it was void and was obtained by improper influences.

The facts set out in the pleas are too voluminous for me to read them, as I could if I had time. But they set out in substance: That the contract was to the amount of 54,000 space yards, upon its face, contingent upon a future appropriation to be made by Congress; that the plaintiff employed James A. Garfield, then being a member of Congress and Charman of the Committee on Appropriations of the House of Representatives, agreeing to pay him a contingent fee of \$5,000 provided he would obtain the said contract of the Board of Public Works; that by his influence and personasion he did procure the same, for which he received the sum of \$5,000; that afterward a bill was reported from the committee of which he was enairman, and did pass the House, and passed Coagress and became a law, appropriating the sum of \$1,241,000, out of which the pavement under said contract could be paid for by said Board of Public Works, that the plaintiff, and the defendants, and the said Garfield, and the members of the said Board of Public Works well knew at the time of his said employment, and at the time of his service in procuring said contract, that the said Garfield from his official position did and would have a potent inducate in procuring the passage of such appropriation to

have General Garfield with us. It is rare—and very gratifying. All appropriations of the district come from him."

The pleas also alleged that Garfield's compensation was to be \$5.001 if he succeeded in getting the contract, and was to be nothing if he did not succeed. It alleges that he did succeed and was pand that sum.

To these pleas the relativity described.

the did not succeed. It alleges that he did succeed and was paid that sain.

To these pleas the plaintiff demurred, and the case was decided by Judge Farwell, overruling the demurrer and sustaining our pleas, thus holding upon the facts stated that the contract was void as against public policy. There was no appeal. The case ended there. Upon the argument of the demurrer we submitted a written brief. In that I had occasion to cite a case decided in the Supreme Court of the United States by Justice Swayne, not then reported in the books, but now reported in the fist of Wallace, 441, the case of Burke, administrator of Frist vs. Child, with which the profession are familiar.

By the mistake of a reporter to the New York World, the language of a portion of our brief was attributed to Judge Swayne. The mistake was natural and casy, because it followed the case cited, decided by Judge Swayne, from which a quotation was made. The mistake was entirely unintentional, and was due to a confusion in quotation marks. For a few days it went the romuds of the press as the language of Justice Swayne until, in justice to him, to Mr. Garfleid and to myself, i corrected the mistake in a note to the thirday of times. These words of our brief are as follows:

"The agreement with General Garfleid, a

follows:

"The agreement with General Garfield, a Member of Congress, to pay him \$5,000 as a contingent fee for procuring a contract which was itself made to depend upon a future appropriation by Congress, which appropriation could only come from a committee of which he was chairman, was a sale of official influence which no veil can cover; against the plainest principles of public policy. No counselor at law, while holding high office, has a right to put himself in position of temptation, and, under pretense of making a legal argument, exert his official influence upon public officers dependent upon his future action. Certainly the courts of justice will never lend themselves to enforce contracts obtained by such influence."

Fellow-citizens, the question is not who said

one hundred and fifty thousand yards, absolutely, then follow these words, viz.:

"An additional amount of fifty thousand square yards will be awarded you so won as the floard are reimbursed by the beneral Government on account of expenditures around the public buildings and grounds; or you will be allowed to lay it this season if you can wait until an appropriation is made for the purpose, at \$5.5) per square yard.

That this fifty thousand yards is part of that one hundred thousand more which thitten len demanded after Garfield's influence was secured was made contingent upon the future appropriations by Congress, is declared upon its face in express words. It is a plain and and palpable fact. The other essential fact alleged is that Mr. Garfield was then a member of Congress and Chairman of the Committee from which all appropriations came. That fact is admitted and well known to all the world. All the essential points stated in the brief are true. The next question is, is the conclusion just? Beyond any other member of Congress, Garfield was responsible for all appropriations, and was made so by his position. Beyond any other member, he vote and his influence were potent and controlling in the House, where he was an able and an acknowledged leader of the majority. It was most the literal fact—when the Caited States; that as Chairman of the Committee on Appropriations he was the strongest man in Congress, and that all the appropriations of the District came from him.

No wonder that in the delirium of his joy at his great success in securing "the influence of General Garfield by yesterlay, last night, and to-day's labors," the happy Chittenden exciaims: "My demand is, to-day, not less than one hundred thousand more—two hundred in all."

At it st, and before Garfield's influence was secured, Chittenden only expected and modest.

The mets set out in the pleas are too voluminous for me to read them, as I could if I had time. But they set out in substance:
That the contract was to the amount of \$1,000 at future appropriation to be made of the plant of th

rested upon the public treasury. All the appropriations of the District came from Garlieid's committee; Garfield more than any other controlled them. He had more power over them than General Grant, the President, If he favored them, they passed. If he opposed them, they were deteated. The Board of Public works was created by Congross. It was liable at any time to be abolished in Congress. It was entirely dependent upon Congress for existence, even, and for the means to carry forward all its jobs and schemes. It followed from all this that Boss Shepard was in the power of Garfield. For the success of all his aspirations and mubitions he depended absolutely upon Garfield's tavor, I therefore maintain that the language of our brief was not too strong in saying that Garfield, in receiving \$5,000 on the soic condition that he would obtain, and did obtain, from Sacpard a pavement job, was a sale of his official power for money, which no veil can cover; just as much a sale of official power as if President Grant had received \$5,000 for getting Boss Shepard to award the contract. If Garfield, as Caalrman of the Committee on Appropriations, was lanceent, then Garfield, if he should be elected President, c said do the same thing, and with equal propriety, under the shallow pretext of a lawyer's contingent fee, and that I suppose would open a new chapter on civil-service reform in the history of this boasting and self-righteous Republican party.

About the Right of It.

At a recent Democratic mass meeting in Grant County, Ind., Mr. Hendricks was one of the speakers, and thus spoke of the nomination of General Garneld:

was one of the speakers, and thus spoke of the nomination of General Garfield:

"His nomination means the indersement and approval in the most positive and offensive manner possible of the Presidential fraud of 1879-7. He had more to do with it than any other man, and was the only man who occupied toward it a double relation. After the election Garfield went to New Orleans, by request of General Grant, without authority of law, as s partisan. He went there to assist his party in making up a case, and after his return to Washington, of ail his associates, he was the only man who took his seat upon the Electoral Commission. By every sentiment of fair play he should have been excluded from the jury-box. By his own sworn statement of what he did in New Oricans Garfield had charge of the returns from West Federana parish. In one of the inner rooms of Packard's Custom-House he did his work, examined affidavits, and when they were not sufficiently full he prepared or hal prepared additional interrogatories to bring them within the rules adopted by the Returning Board. Testimony so revised by Garfield went back to the Returning Board, and the result was that West Feliciana, with its Democratic majority, was thrown out. In Washington Garfield's voice was the Congress could not so behind returns thus made. As agent for his party he heipe ito make the returns by manipulating the evidence, and, as a jury for the Nation, he held such evidence conclusive and binding. In respect to the most in of Congress on this question. I have thought and said that wrongs done to individuals to great offices. But in respect to have thought and said that wrongs done to individuals to great offices. He did that when he had formed a purpose to decide against those whose claim was supported by the propose and also by his participation in the preparatory. For that I claillenge him before the har of public opinion, and I do this in the name of public and private right. In the name of public and private right, in the name of public and private ri themserves to enforce continuets obtained by a ship of the service of the superior to we shaped the such influence. The quotient is not who and this, not whether it was sold by a ship of the superior to the

A Ridiculous Claim.

We are solemnly assured that the We are solemnly assured that the Republican party "has made the name American respected in all quarters of the globe." It must be held in profound respect in China where a well-known thief was promoted from Consul-General to Minister Pienipotentiary: where other thieves were quartered in Consulates and upheld, defended and protected by our Government, long after the evidence of their guilt had been filed in the Department of State.

Oh, yes, it makes our names "re-

Oh, yes, it makes our names "re spected in all quarters of the globe" t see a Consul who exposes the felonies of United States officials threatened with removal, while the felons whom he has exposed are assured of protec-

And it's a giorious thing for our good name abroad, for our credit "in all quarters of the globe," to buy up a weak old man's sent in the Senate with a foreign mission and send him to South America to represent the honor of this great Republic by coarse and brutal treatment of his young wife, and by air-ing in the streets of a foreign capital the details of a domestic scandal.

The seat of Isase Christianer in the American Senate was bought by Mr. Evarts, with the approval of Mr. Haves, and the price paid for it was the mission to Lima. The trade was publicly boasted of at the time of its consummation, as openly as ever a jockey talked of dicker in horse or mule flesh. And the old man, thus bought out of his piace in the Senate, was sent to Peru, freighted with the honor of his country.

So lost to all sense of decency was the Administration and the party, that they really saw no wrong in making a seat in the Senate of the United States and a foreign mission the subjects of a swap, like cows, mules or hogs. And when the old man had gone down to his post, and his wife, unprotected, had followed him, and he had set the civilized world ringing with the shame of his family scandal, the Administration clung to him as it had clung to the thieves in China-and that's the way in which the Republican party has made our name "respected in all quarters of

Do the English respect a Nation that permitted itself to be despoiled of \$5,-00,000 for want of brains in its Administration? Not much. England has little respect for such posillanimity as we displayed in the matter of the fishery award.

Does Spain respect a Nation that permits filibustering expeditions to be fitted out in and sail from her ports and land troops and war material in Cuba? How much we are respected in that quarter is shown by the frequency with

which Spain insults our flag.

These are but samples. We could eite columns of similar illustrations. The Republican party has done nothing the company. That is what was done; to inspire respect for this Nation or and that is what constitutes bring the name American" in any course.

floated our flag in every sea. It flour-ished before the Republican party came into power. It commanded respect, for it bespoke an enterprising, pushing people. That has vanished and the party that has controlled National affairs since 1861 has done nothing to restore our merchant marine. We are simply a child when we get beyond low-water mark. We are held in contempt. as a maritime people, by all other Na-

We had a navy. It was destroyed by thieves under two successive terms of a Republican President. Does that command respect abroad?- Wastington

Garfield and the Frand.

We shall religiously observe the Re-publican request, made in person and through numerous organs of General through numerous organs of General Garfield, not to make this a personal campaign. We shall do this, notwithstanding the fact that the people and the journals who make these requests themselves do nothing else than seek to make this a personal campaign against General Hancock. General Hancock can afford a personal campaign; General Garfield cannot afford such a canvass. We have treated General Such a canvass. ch a canvass. We have treated General Garfield in this campaign in a re-spectful manner, and shall continue so to treat him. We have not charged upon him contemptible acts of personal meanness not broad and National in their character. In this respect we have varied from the practice of some of our Republican contemporaries that have asked for a non-personal campaign. We have said nothing about General Garfield that is not known to be true, and is not "apart of the history of the country." In this respect, also, our methods differ from those of some of our friends who deprecate a personal campaign.

as a member of the Electoral Commission that the things he had said as a member of the House a few days be-fore were false. The charge we make is that Garfield was not only prom-iment among the men who stole the Presidency, but that he sinned against himself as well as against the Constitution and the laws. He did the things he had just said he could not do. He solemnly and elaborately said that the Constitution meant one thing one-day and almost the next day said that it meant something else, the moment he found that his practical perjury could accomplish the theft of the Presidency. the rape of American suffrage. He had carefully examined and debated the bill that created the Electoral Commission and had explained its scope and authority. The instant he found that by saving he had lied he could accomish the most enormous outrage upon the rights of suffrage which has been known in free governments, he solemn-ly and deliberately declared that he was lying a few days before or was ly-ing then. He was involved equally with any of the others in the huge robbery itself. He bears the additional infamy of having contradicted and con-victed himself in so doing. Without his vote the steal could not have been accomplished, and he had just sworn that he would not and could not conscientiously so cast it .- Cincinnati En-

Undisputed Facts.

When about to distribute Credit-Mobilier shares where they would "pro-duce most good" to the men who dreaded the action of Congress, Oakes Ames, who knew his colleagues well, selected Garfield, of Ohio, as one who

could probably be bribed.

The letter addressed to the American people by the sons of Oakes Ames naturally denies the intent to bribe. But Oakes Ames himself, on Washington's birthday, 1868, wrote to Colonel Me-Comb in regard to the shares distribut-ed to Gartield and others: "We want more friends in this Congress, and if a lican party managers and leaders would man will look into the law (and it is disfranchise the whole Irish race had difficult to get them to do it unless they they the power. The feeling of the have an interest to do so) he cannot help being convinced that we should not be interfered with." The Messrs. Ames offer, as a leading argument, to show that there was nothing wrong in the transaction, the fact that no legislation was wanted of Congress at that time. Precisely so. As Oukes Ames' letter to McComb shows beyond the possibility of doubt, it was to prevent legislation that the shares were put where they would "produce most good." On Ames' own construction of the matter, the Congressmen were to be hired to adopt his views of the meaning of the law by making their interest identical with the interest of

We had a commercial marine that floated our flag in every sea. It flour-ished before the Republican party came into power. It represented to the stock offered him for into power. It represented to the stock offered him for into power. It represented to the stock offered him for into power. It represented to the stock offered him for into power. nothing would realize \$2,400. He admits this, for in his defense, published not until after the death of Oakes Ames, he attempts to explain the memoran-dum of \$2,400 in his own handwriting in this way:

"Before I left his room the interview after the investigation had begun he said he had a new investigation had begun he said he had a new investigation had begun he said he had a new investigation had of him was on account of stock; and asked me if he did not, some time in isst, deliver to me a statement to that effect. I took him if he had any account of that effect. I took him if he had any account of that each it; and thereupon I made substantially the following statement; 'Mr. Ames, the can't memorandum you ever showed me was in 185. '88, when speaking to me of this proposed sale of stock, you figured out on a little piece of paper what you supposed would be realized from an investment of \$1,000 and, as I remember, you wrote down these figures:

1,000

as the amount you expected to realize. While saying the to Mr. Ames I wrote the figures as above, on a piece of paper lying on his table, to show him what the only statement was he had ever made to me."

But, in the face of this declaration that he knew in 1868 of the enormous profits to be made out of Credit-Mobil-ier stock, Mr. Garfield elsewhere claims that he did not know anything of the character of the stock or the nature of the profits to be forthcoming until warned by Judge Black, a year or two later, that the transaction was suspi-

POLITICAL ITEMS.

-General Garfield, in his "swingthe circle" speeches, comes almost as near saying nothing as Mr. Haves did when he was exhibiting the "Govern-ment" from the rear platform of a sleeping-car.

Governor Hendricks says that the Indiana Democracy was never more thoroughly united or in better working trim, and that any intimation that he is disposed to lag behind or cul-tivate indifference to the result will be discredited by his active participation in the canvass.

—To a correspondent in Chicago Mr. English has written the following

Indianapolis, August 7.

My Duan Sin: Never mind the claims and heasts of the Republicans about indiana. It is all bosh. The Democrats are thoroughly united here, are gaining by conversions, and are only in danger by reason of the importation of negro voters, frauds and the use of great sums of money, which the Republicans are raising with a view to overwhelming the State, but with God's help we intend to hold the fort. Very respectfully,

W. H. ENGLISH. INDIANAPOLIS, August 7.

Because the Alabama negroes didn't see fit to vote the Greenback ticket in large numbers, the silly cry of fraud is raised by the Republicans. There isn't a single fact to base the charge on. The election was quiet and orderly. Every man had a chance to vote as he pleased, unquestioned. Many of the Radical negroes, having no Republican ticket to vote for, cast their ballots with their Democratic neighbors. There would be a great Democratic majority in Iowa or Kansas if the Republicans in either of those States were to make no nominations .-Washington Post.

—It is fashionable just now in the Republican papers to refer to the fierce activity of the "Irish Republicans." This bosh does not gull anybody. The Irish Republican element bears about the same relation to the party, so far as size is concerned, that a grain of corn does to the solar system. Every intelligent Irishman knows that the Repub-Republicans for the Irish is well portrayed by the eartoons in Harper's Weekly, which speak louder than words.

—St. Louis Republican.

- A Democrat, says the Elmira (N. Y.) Gazette, has deposited in the office of the Gazette \$1,600 to be matched against a like sum from the pockets of any Republican who believes in Garfield's success, the bets to be distributed

\$100 that Hancock carries Pennsylvania.
\$100 that Hancock carries Connecticut.
\$100 that Hancock carries New Jersey.
\$100 that Hancock carries Indiana.
\$100 that Hancock carries New York.
\$100 that he wins all the above bets.
And \$1,000 that Hancock will be elected.
All the offers to be accepted or none.

No Republican will match the sum. money just to have Democrats walk away with it.

Who Reduced the Debt?

The Republican press is making a great parade of figures exhibiting the reduction of the public debt as a proof of the wonderful skill with which Republican Administrations have managed he National finances and lightened the burdens of the people. The in-terest-bearing debt has been diminished from \$2,381,530,000 in 1865 to \$1,786,-686,000 in 1880-a reduction of \$594,-843,000; and the annual interest has been reduced from \$150,977,000 to \$83,-129,000-a decrease of \$67,847,000. See what our party has done in fifteen years—say the Republican journals—and would it not be the highest folly in the people to turn out the party that has performed such great things and inaugurate a new one in its place?

It is the people themselves who have paid this \$594,843,000 on the public debt. The money came out of their pockets. It is true Republican Administrations have handled and disbursed the money, but they deserve no more credit for this than the clerk who pays his employer's bills with his employer's

The management of the National finances by the Republicans, instead of being sagacious and discreet, has been profligate and wasteful beyond computation. The National debt represents about twice the amount of money the Government got for its bonds. The bonds were sold for about fifty cents in gold, the Government getting only \$500. gold, the Government getting only \$500 in real money for a \$1,000 bond. The best writers on political economy now assert that if there had been no suspension of specie payment during the war and no isssue of Treasury notes to be depreciated to thirty-five cents on the dollar, the war would have been carried on at one-half the cost and the National debt would now be only about one-half what it actually is.

The amount of money paid on the in-terest-bearing debt under Republican Administrations has been about \$600,-Administrations has been about \$600,-000,000. But it ought to have been twice that sum, and it would have been if the revenues had been economically managed, instead of being squandered. A commission of Republicans appointed by President Grant estimated that one-fourth the taxes paid by the receiled. paid by the people were never applied to the legitimate needs of the Government, and the operations of the Whisky ring afford an intimation of how it was stolen and where it went. When the Democrats got control of the House they stopped this business and brought the Republican Administration down to an honest and economical basis, and if the National finances had been as thriftily managed prior to the accession of the Democracy to power in the House as they have been since, there would now be scarcely a National debt at all.—St. Louis Republican.